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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	FUKATSU et al.	Examiner:	Unknown
Serial No.:	10/580,906	Group Art Unit:	Unknown
Filed:	May 26, 2006	Docket:	20039.0005USWO
Title:	RECEPTOR FUNCTION REGULATING AGENT		

CERTIFICATE UNDER 37 CFR 1.10

Express Mail mailing label number: EV 858800562 US

Date of Deposit: August 24, 2006

I hereby certify that the papers listed below are being deposited with the United States Postal Service Express Mail Post Office to Addressee service under 37 CFR 1.10 in an envelope addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: 

Name: Abbie Larkin

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

52835

PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing 1.10
- ☒ Information Disclosure Statement, Form 1449, 22 reference(s)
- ☒ Return postcard

Please charge any additional fees or credit overpayment to Deposit Account No. 50-3478. A duplicate of this sheet is enclosed.

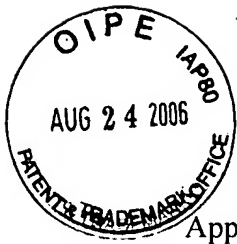
Hamre, Schumann, Mueller & Larson, P.C.
P.O. Box 2902 Minneapolis, MN 55402
612.455-3800

By: 

Name: Douglas P. Mueller

Reg. No.: 30,300

Initials: DPM:rkw



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By: 

Name: ABBIE LARKIN

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. Copies of any foreign patent documents or "Other Documents" are enclosed. Some of the references listed on the Form 1449 were cited in an International Search report mailed March 22, 2005. A copy is enclosed.

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the Filing Date, before the mailing date of a First Office Action on the merits, or before the mailing date of a First Office Action on the merits after the filing of a request for continued examination under 37 C.F.R. §1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a Final Rejection or Notice of Allowance, and
- ☐ the requisite Statement is below, OR
- ☐ the requisite fee of \$180.00 under Rule 1.17(p) is included herein, or
- ☐ (3) after the mailing date of a Final Rejection or Notice of Allowance but on or before the payment of the Issue Fee, AND

- ☐ the requisite Statement is below, AND
- ☐ the requisite fee of \$180.00 under Rule 1.17(p) is included herein.

STATEMENT

As required under §1.97(e), Applicants hereby state either that:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement.
- ☐ If this box is checked, Applicant provides the following:

Certification Under 37 C.F.R. §1.704(d)

In accordance with 37 C.F.R. §1.704(d), the undersigned hereby certifies that each item listed on the enclosed Form 1449 was first cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement.

- ☐ The Examiner is hereby advised of the following co-pending U.S. applications. A copy of each U.S. patent application publication (if published) or application (if not published) is enclosed.

Application No.

Filing Date

Group

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

A concise explanation of the relevance of each non-English language document or other information is as follows (37 C.F.R. §(a)(3)):

JP 2002-265457 corresponds with WO 2002/053547
EP 1431267 corresponds with WO 2003/016254

English Abstracts have been provided for the following references:

WO 2004/041266	WO 2004/065960
WO 99/11255	WO 2004/022551
WO 2002/053547	WO 02/83616
WO 2003/016254	JP 11-29533

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

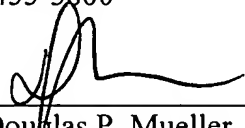
FEE AUTHORIZATION

Should any fee associated with the submission of this paper not be attached hereto as a check, the Commissioner is authorized to charge the missing fee to our Deposit Account, No. 50-3478. Any overpayments should be credited to said Deposit Account.

Respectfully submitted,

HAMRE, SCHUMANN, MUELLER &
LARSON, P.C.
Post Office Box 2902
Minneapolis, MN 55402-0902
(612) 455-3800

Dated: August 24, 2002

By: 
Douglas P. Mueller
Reg. No. 30,300

DPM:rkw

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 20039.0005USWO	Application Number: 10/580,906
	Applicant: FUKATSU et al.	
	Filing Date: May 26, 2006	Group Art Unit: unknown

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 2004/041266	May 2004	WIPO			Abstract	
	WO 99/11255	March 1999	WIPO			Abstract	
	WO 2002/067868	September 2002	WIPO				
	JP 2002-265457	September 2002	JAPAN			See IDS	
	WO 2002/053547	July 2002	WIPO			Abstract	
	WO 2003/016254	February 2003	WIPO			Abstract	
	WO 2004/065960	August 2004	WIPO			Abstract	
	WO 03/099793	December 2003	WIPO				
	WO 2004/022551	March 2004	WIPO			Abstract	
	WO 00/64876	November 2000	WIPO				
	WO 01/00603	January 2001	WIPO				
	WO 97/31907	September 1997	WIPO				
	WO 02/083616	October 2002	WIPO			Abstract	
	WO 01/55085	August 2001	WIPO				
	JP 11-29533	February 1999	JAPAN			Abstract	
	EP 1431267	June 2004	EUROPE			See IDS	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
		HOLZFORSCHUNG (1991), 45 (Supp., Lignin and Pulp Chemistry), 9-14 "On the Mechanism of Formation of Non-Cycle Benzyl Ethers During Lignin Biosynthesis"					
		STREHLKE et al., European Journal of Medicinal Chemistry (1979), 14(3), 238-242 "Antifungale Imidazolverbindungen IV (I) Benzyläther von (Imidazolyläthyl) - und (Imidazolylpropyl) -phenolen"					
		Genomic Drug Discovery Forum 7 th Symposium, Nov. 15, 2004 and English translation thereof					
		PHARMACEUTICAL SCIENCES WORLD CONGRESS ABSTRACTS, May 30-June 3, 2004					

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 20039.0005USWO	Application Number: 10/580,906
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	Filing Date: May 26, 2006	Group Art Unit: unknown

		The Yomiuri Shimbun (Osaka), 'Protein that shapes life' Nov. 12, 2003 and English translation thereof
		International Search Report mailed March 22, 2005

52835

PATENT TRADEMARK OFFICE

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	